

# What's happening to the faculty code?

At registration a controversial code of student behaviour went into effect at Sir George. There were assurances that a code for faculty would soon follow. So far only a student code, alternately labelled repressive and protective, exists.

It soon became clear that faculty was seriously divided on both the purpose and nature of a code. Many believed that the existing precedents and traditions were sufficient. Some felt a general statement of principles was needed. Still others were in favor of a code similar to the student code.

In March, University Council, the supreme

academic governing body of Sir George, charged a rules committee with the task of drafting codes of behaviour for both students and faculty.

The Rules Committee, composed of two students, two professors and a member of the Board of Governors, worked over the summer on the student code which is now in effect. The formulation of a faculty code was placed in the hands of the Sir George Williams Association of University Teachers.

A committee appointed by SGW AUT drafted a professional code of ethics. Neil Compton, the president of SGW-

AUT, reported to the University Council meeting of September 26 that SGW AUT had rejected that document. In the end, a committee of five persons was named to negotiate with SGW AUT the inclusion of a statement of ethics within a total university code.

Professor Compton said that he hoped that SGW AUT Council would agree to consider the adoption of a code of behaviour for the entire university community drawn up by a representative committee. The committee would also recommend an interim arrangement until the code is drafted.

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## An Attempt to Clarify SGW AUT's Position

By Michael Marsden

The debate about a so-called "Code of Discipline for Faculty" has revealed confusion about the issues and a certain amount of misrepresentation about the role of the Sir George Williams Association of University Teachers, probably based upon misunderstandings or incomplete information. For that reason it is necessary to consider the matter in two stages.

### 1. The Sir George Williams Association of University Teachers (SGW AUT)

SGW AUT is a private association, outside the University hierarchy, and it receives no money, space, or secretarial help from University funds, although there have been numerous "kindnesses" from both sides. The Association is designed to protect the interests of members who must be full-time faculty, or members of administration *who also teach* or who were formerly members. It bears some superficial resemblance to the "union," but most faculty sincerely feel that it is more nearly a professional association, concerned quite as much with maintaining academic standards, demanding ethical behaviour and defending academic freedom as with the protection of salaries, pensions and working conditions.

A large part of each member's fees are paid on his behalf for membership in a national group, The Canadian Association of University Teachers (CAUT), an independent faculty-financed organization which publishes a bulletin, collects statistics relevant to salaries and fringe benefits and maintains inter-university committees to review such matters as responsibilities, freedoms, the implications of governmental legislation for teachers, and so on. They have concerned themselves deeply with providing help to faculty, whether associations or individuals, who find themselves at odds with their university in any way. They have intervened with great care and precision - certainly with correctness - to protect faculty rights at Simon Fraser and to ensure fair process for an individual at the University of New Brunswick, to mention two extremes of their range. The decisions are made by a committee of delegates from every member Association. Their principal virtues are the ability to present an outside view, obtain a nationwide cross section of opinion and furnish a (voluntary) bank of talent - legal, technical, and professional, for those who might need it.

Another part of the dues covers membership in the Fédération des Associations des Professeurs du Québec (FAPUQ), literally an Association of as-

sociations, concerned with standards in Quebec and with giving university teachers the means of addressing the rather large educational machine - the Department of Education, the new Council of Education, and the Conference of Rectors and Principals.

Obviously SGW AUT has important links outside the University. Nevertheless it is an autonomous group, and all the members are first and foremost interested in Sir George Williams.

SGW AUT is not part of Sir George's administration, nor is it an advisory body for any of the University's functions. However, confusion has arisen because SGW-



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AUT has been vocal on some issues which affected faculty, for example the Bookstore strike, the charges against Professor Anderson, and the spring conference on budget priorities. Because the implications in such matters went far beyond mere faculty interest many people misunderstood the role of SGW AUT in those events. Furthermore, because SGW AUT represents the means of an organized approach to a fairly large body of faculty - two thirds of the full-time staff last year - the administration has on occasion asked SGW AUT to offer a faculty view (just as they have consulted the Students Associations and the various

Councils, etc.). Finally, every member of SGW AUT has at least two hats. In fact he is first and foremost a teacher with membership in a department and probably he also serves with a council and several committees. Occasionally their acts there are charged to SGW AUT. There are adequate reasons for the occasional misunderstanding about the role of SGW AUT and therefore its role in the present discussion of a code of discipline for faculty.

2. A "code of discipline for faculty" or a "code of ethics and responsibilities"? First it should be clearly understood that there is no SGW AUT stand against the University having rules for its staff. When one considers that in the past a faculty member has been theoretically defenceless against firing at whim, and with no right to a fair hearing of any kind of charges laid against him by anybody, it seems obvious that the individual can only benefit by a rule of law. SGW AUT began trying to move that way years ago.

In practice, administration has behaved fairly at Sir George, perhaps too kindly on occasion. Also in practice there is a well-understood level of ethics and responsibility that all faculty recognize and have operated under for many years. This recognition goes beyond the affirmation incorporated in the student code that an illegal act is still illegal when carried out by a student. It has become necessary to point out that over the years at Sir George a number of faculty have paid the penalty for their defects and departed, generally quietly. Faculty have never enjoyed the licence accorded students, who most frequently escaped the normal consequence of acts such as newspaper libels, good-natured rowdiness incorporating theft, damage or public obstruction, and the denial of free speech to meetings. Nevertheless our society in general is so shaken by the violent questioning of so many of our basic assumptions that it may have become necessary to codify intentions and definitions, if only to have a clearly stated prior intention as a measure of our future acts. Paradoxically, however, it is highly predictable that a code of rules will be unnecessary for everyday events, while the very basis of the rules will be challenged under stress, that is at the time they are really needed.

A clearly worded and comprehensive code, justly applied by an authority that can ensure due process, is a defence for the individual just as much as it is a defence for society as a whole.

Continued on page 3

### Admin. code?— no; Grievance procedure— yes

A procedure for dealing with complaints against administrators is being developed by John Hall, Director of Personnel.

Crux of the new grievance procedure, not a code, is the principle of administrators being directly responsible to their superiors. The procedure, designed to quickly handle complaints inside and avoid public hearings, will outline the channel for grievances up the administrative line ultimately to the Principal, if necessary.

"Our ethics as administrators, our security, is our performance," says Hall. "What we need is some consistent manner in which any member of the university community who feels he has a legitimate complaint against an administrator can be assured of a fair hearing."

Hall's draft procedure, initiated by senior administrators reporting to Vice-Principal John Smola, was circulated to top administrators in August requesting suggestions for improvement. Few were forthcoming but submissions from various offices are expected shortly. In general it appears that senior administration is buying the concept.

Hall expects to re-draft the proposal for submission to John Smola next month.

### Next week...

Prof. Michel Despland on the need for clarification of the position of faculty members within the University. Other submissions on the faculty code are invited; send articles and letters to room 211 of the Norris Building.

SGW  
ISSUES & EVENTS



# Wanted...

## Faculty Code Similar to Student Code

By Allan Hilton

There are a number of questions which are relevant to the current discussions concerning some form of faculty code which require responses. It is my intention to trace the development of this issue and indicate my own attitude on these matters by way of a series of questions and answers.



Allan Hilton, SA Executive V-P, helped draft the code of student behaviour.

### 1) Why is there a code of behaviour applicable to students only and not faculty members?

This is a question which has been asked on several occasions (most notably at the meeting of University Council on May 20 which approved the student code), but which has not, to my mind, been properly answered.

The initial responsibilities of the committee which drafted the student code (Messrs. Hannan, Butovsky, French, Lazare and myself) included a request to draft a faculty code of behaviour. This responsibility was derived from a memorandum sent to the committee by the then Vice-Principal (Academic), Dr. O'Brien. Dr. O'Brien suggested in the memorandum that parallel faculty and student codes should be considered as a possible result of the committee's work. Accordingly, a meeting was arranged between the committee and representatives of SGWAUT to consider this matter in a preliminary way.

The reaction to the motion of a parallel student-faculty code was negative. The faculty members present indicated a need for wide consultation on this matter, and

in fact, one suggested that he would personally lead a faculty strike if work proceeded. The committee decided to abandon this portion of its charge, and later recommended to University Council that the matter be referred to SGWAUT so that consultations could take place.

(At this point, I must note that I now believe that it was an error on my part to continue with the student portion of the committee's work while the faculty portion was delayed.)

The student section of the committee's work did proceed, and was adopted at the May meeting of University Council. At that time, SGWAUT was instructed to prepare a report concerning this matter for the September meeting of University Council.

### 2) What did SGWAUT do during the summer interval?

To the best of my knowledge, the question of a faculty code was turned over to SGWAUT's Committee on Academic Freedom chaired by Professor Victor Byers. Dr. Byers and his committee prepared a report which was rejected by the SGWAUT Council at a meeting held shortly before the September meeting of University Council. The report, which I have seen and read, was in my opinion useless in both a practical and quasi-legal sense. Its vague generalizations were easily susceptible to criticism. For example, one phrase which theoretically could have formed the basis of a charge was that faculty members should be intellectual guides. (Can you conceive of a tribunal hearing a case with this charge as its basis: "I accuse Professor X of not being an intellectual guide."?) Dr. Byers seemed to take particular pride in the fact that his committee had not consulted a lawyer. That he hadn't consulted a lawyer was clearly evident.

### 3) What is the current situation in this regard?

A committee of University Council has now been formed, as I understand it, to negotiate with SGWAUT concerning the inclusion of various codes in a university code. If the last clause in the previous sentence seems unclear, it is because the motion adopted at University Council which established this committee is sufficiently vague to allow for almost anything to result from the forthcoming negotiations.

### 4) Should a faculty code, similar to the student code, be promulgated?

Yes. There is no justifiable excuse in my mind why one portion of the University should be subject to such a code as is currently in force for students, while

others continue to function in the University without similar regulations applicable to them.

One point which faculty members do not seem to realize is that a codification of offences is more of a protection than it is an infringement on their freedoms. The concept of codification allows for the implementation of law by exception, that is, everything which is not deemed an offence is permissible. This theory finds its basis in the legal dictum "Nulla poena sine lege" - no penalty without a law.

Essentially, the socio-academic offences in the student code should be made applicable to faculty (with one exception, the article which proscribes remaining in the buildings after the stipulated closing hour). I do not believe that professional ethics or academic responsibilities can be codified in the same manner that socio-academic offences can. Some form of statement of principle would be in order which could well cover specific cases which may arise (such as faculty members missing an unreasonable amount of lectures, or failing to provide an accurate description of course outline).

### 5) Is it a valid argument that such a code as referred to above would impinge on academic freedom?

In my opinion, no. The maintenance of academic freedom is something which must be zealously guarded. I do not understand, however, how the commission of acts which lead to property damage, breaking and entry, or assault can be

confused with academic freedom. Academic freedom has always been subject to threats, most recently at U.C.L.A., where credit for one professor's course has been lifted by the Regents because of her political affiliations.

To associate that kind of situation with a written statement of academic and professional principle and a codified listing of socio-academic offences, however, is to vastly overestimate the importance of such a code.

### 6) What problems are involved in the creation of such a code?

Apart from the obvious difficulty of drafting an acceptable statement of academic and professional principle, the problem of sanctions is one which stands out.

Sanctions must be developed which both penalize a guilty party and do not interrupt his effectiveness in the classroom, except, of course, in the instance of dismissal. Sanctions should be in degrees of effect to correspond with the severity of the offence. There is also the problem of aligning sanctions with tenure regulations where these are applicable.

### 7) How soon should such a code be implemented?

To delay this process any longer than is currently the case will be to invite a situation which will heighten what Assistant Professor Robert Fraser has already termed "justifiable annoyance" on the part of students.



Profs Michael Marsden and David Andres with student Allan Hilton discussing faculty code on "Can you all hear at the back?"

## "Most studen

Allan Zweig, SA representative on the Review Committee of the Code of Student Behaviour, says his chief impression so far is that, "Most students don't care."

Despite the criticisms of the code voiced on campus, the committee has received only three documents to evaluate: the additional procedures proposed by the drafting committee (Issues & Events,

October 2) and two memoranda signed by Professor Jack Bordan.

The Bordan memos deal with the need to co-ordinate existing re-read procedures with the section of the code entitled "Academic Control and Scholastic Evaluation"; the position of graduate students; and some drafting ambiguities regarding the jurisdiction of the student courts.



## New Task Force on Bookstore

A three-man task force to assess the operations of the SGWU bookstore according to economic and business criteria has been named by Dr. John Smola, Vice-Principal Administration and Finance. Chairman of the task force is Dr. William Kaven, Associate Professor of Management. The other members are Graham Martin, Director of the Computer Centre, and William Reay, Treasurer. The group will submit its report to Dr. Smola by the middle of November. Dr. Smola will then report to the Operational Services Committee of the Board of Governors.

The task force will study both the viability of the present bookstore and the alternatives open to the University. Since it is a requirement of the provincial government that any university bookstore now pay its way, the task force will be concerned in particular with the costs involved in the various alternatives. It will recommend what appear to be the

most suitable course or courses of action.

The first undertaking of the three-man team will be to study the available documents, including the minutes of the now-dissolved Bookstore Committee, the reports of two outside consultants, Jack Worthington of the Princeton University Coop Store and Ray Vanderhoef of the Iowa Book & Supply Company, who investigated the bookstore during the summer, as well as financial and statistical data. They will also consult with the present management of the SGWU store, the managers of commercial and other university bookstores and other interested and qualified persons.

Members of the SGWU community who have views to express on the subject of the task force mandate, namely the future of a bookstore at the University and its economic viability, are asked to send these in writing to Dr. William Kaven at room 568 of the Norris Building. ●

Sir

A few days ago, I had the opportunity to read Volume 1, Number 2 of *Issues & Events*, dealing primarily with the Bookstore. Since I feel certain you would want your memorandum to present a true statement of facts, I hasten to call attention to an implied error.

You refer to a fallacious figure of \$90,000 which was "produced before the University accounts were liberated from the YMCA", and point out that "many operating costs were not covered." One would immediately assume that the YMCA accounting system was restrictive and that a true picture could not be ascertained until the so-called "liberation" took place. Perhaps you did not know that from the very beginning of the Bookstore operation, all transactions were handled by University officers. The operating position at any time was simply a reflection of the data submitted to the YMCA Accounts Office by the Bursar's Office.

Everyone concerned with the detailed operation of the Bookstore knew that indirect costs were not being charged. Had it been considered necessary to determine their nature and extent, this

mechanical process, a matter of internal bookkeeping, could have been established years ago. Inasmuch as such action would not have changed the net operating position of the University, it was evidently not a priority matter. The YMCA Accounts Office, however, could have, and would have, handled this additional information easily had it been submitted.

As a former YMCA officer with direct relationship to the Accounts Office for many years, I am naturally anxious that your statement should communicate correct information. I hope, therefore, that you may see your way clear to clarify what to this reader and others was a false impression.

C.M. McCully

Sir

I support the student-run bookstore and my reasons are very obvious.

I am a night student, and work during the day. For only one course it's costing me nearly \$20 in text books.

Something must be done. I think the students have the answer.

Suzanne Lachance

## Attempt to Clarify from front page

Here is the problem. It is difficult to word a code, and in my opinion it would be wiser to clarify our principles than to attempt a complex legalistic code covering every possibility. If it is detailed it will almost certainly not be comprehensive. If general, we are back at the matter of interpretation. Any weak document is easily subverted, or evaded; while a bad code may be used as a weapon by all parties whether through stupidity or malice. I believe that I see in SGWUT a growing feeling that there should be an unequivocal statement of ethics and responsibilities for faculty. That they are working upon and they are working hard. With it a student, an administrator or a member of the community at large will have a yardstick for the performance of a teacher. If the measure fails they may then invoke sanctions.

SGWUT began almost two years ago to outline a procedure for dealing with com-

plaints against faculty. It is designed to make it clearly possible for anyone to complain about any aspect of faculty behaviour while at the same time ensuring that charges are investigated fairly and the accused assured of due process. This procedure has been in effect since last December, and although events suggest that it may need modification, it is there and may be invoked at any time.

The thinking behind such a procedure requires a "code of ethics" outlining standards of performance, morality, and responsibility binding upon members. No one shown to be in breach of such a code could expect to be maintained by SGWUT, although SGWUT would demand that even such an individual should be disciplined by due process, and that justice be seen to be done.

If there are any rules, and whatever their form may be, they should come from the people running the University.

SGWUT can then compare the rules with a code of ethics and responsibilities, and if there is no conflict, accept them on behalf of members. It would hardly be right to ask the "union" to write the rules; and it would not be proper for them to write them when one considers their membership in the larger community, FAPUQ and CAUT. But it does make sense that they be required to define what they promise to deliver.

A last personal statement. There is some complaint about the slowness of SGWUT in delivering a "code" and, I am sure, some misunderstanding about what kind of code they will deliver. In the late spring when the then Vice-Principal Dr. John O'Brien contacted SGWUT about preparing a draft of a code he clearly indicated that he hoped it would come very near to being a code like the student code. I sincerely hope that he would confirm my expression then of the belief

that it was more likely to resemble a code of ethics. I promised that the draft would be available by the fall and in that I have failed him, since although a draft was ready, SGWUT Council would not approve it on behalf of membership. The University at large should know that SGWUT Council, a total of twenty-five members elected from the general membership, is still having difficulty agreeing on wording because they wish to extend the clauses covering responsibility. I believe the delays do not represent carelessness or obstruction but a sincere respect for the importance of the document. No one should expect a duplicate of the student code, for faculty are not students. They have different roles, greater responsibilities and a difficult environment for work. All of us would benefit from an informed discussion of the issues, in which all parties clearly present their own interests and recognize individual responsibility. ●

## ts don't care"

Unable to agree on a chairman or co-chairman, the committee is following the Alice in Wonderland system of having the secretary at one meeting move up to chairman for the next. Lacking briefs to review, the members have themselves discussed various ways the code might be revised without coming to any conclusions. Alan Zweig feels that the make-up of the committee may be one reason for this, with John Hannan, lawyer

member of the drafting committee, being naturally rather heavily protective. Meetings have tended to become a Zweig-Hannan exchange.

Jim Harford, administration representative, sees the present code as predominantly a grievance procedure. What we need, he says, is a broader, positive document outlining how all members of the university community can contribute to its welfare. ●



# THE WEEK AT SGWU

Send notices and photos of coming events to the Information Office, room 211 of the Norris Building, or phone 879-2867. Deadline for submission is noon Monday for the following week's events.

## MONDAY 20

"CAN YOU ALL HEAR AT THE BACK?": A program on evening division; channel 9 at 10 a.m., 1 p.m. and 3 p.m. Monday through Wednesday, 6 p.m. Monday through Friday.

CONSERVATORY OF CINEMATOGRAPHIC ART: Conclusion of the Leacock-Pennebaker festival with "Two American Audiences" (a discussion between Jean-Luc Godard and NYU graduate students) and "Eddy" (racing driver Eddy Sachs' three attempts to win at Indianapolis) at 8:30 p.m. in H-110; 50c for students, 75c for the public.

SCIENCE STUDENTS ASSOCIATION: Action Pollution seminar with E.H. Hubbard, general secretary Stichting CONCAWE (oil companies' international study group for clean air and water conservation in western Europe) at 3 to 5 p.m. in H-635.

CHANNEL 4: "Communications and Education" - a series of videotaped lectures by Prof. Charles Siepman, N.Y.U.; this week "Freedom of Speech" at 10, 10:30, 11 a.m., 2 and 2:30 p.m. through Friday on classroom monitors.

ENGINEERING FACULTY COUNCIL: Meeting in H-769 at 4 p.m.

VISAS: Immigration officers here to check foreign students' visas 9 a.m. to 4 p.m. in N-327; further information from the Registrar's office.

TV SIR GEORGE: The series "Info H-405" outlining functions of the Dean of Students office; channel 9 today 5:30 to 6 p.m., Tuesday and Wednesday 1:15 to 1:45 p.m., Thursday 8 to 8:30 p.m.

FACULTY OF ARTS AND ARTS FACULTY COUNCIL: Meeting in H-937 at 3:30 p.m. for general discussion of proposed federation with Loyola.

GALLERY I: Miller Brittain drawings and pastels through October 31.

## TUESDAY 21

BABSON INSTITUTE: Graduate Studies in Business Interviewer Prof. M.D. Pell in room N-576, 9 a.m. to 5 p.m., for appointments call 879-4249.

PHYSICS CLUB: Film "High Speed Flight" in room H-620 at 2:30 p.m.

GEORGIAN FILM SOCIETY: "The Phantom Creeps" starring Bela Lugosi, W.C. Fields, Shirley Temple, Howdy Doody, Laurel and Hardy, Mighty Mouse and many others; 1:15 to 2:15 p.m. in H-110 for 25c

VISAS: Immigration officers here to check foreign students' visas 11:30 a.m. to 6 p.m. in N-322.

CHAPLAINS SIR GEORGE: 5 to 9 p.m. in the southwest corner of the cafeteria.

GALLERY II: Theatre arts exhibit through November 8.

## WEDNESDAY 22

SOCIETY FOR ADVANCEMENT OF MANAGEMENT: Meeting in room N-012, basement of the Norris Building, at 1 p.m.

ADVERTISING AND SALES EXECUTIVES CLUB: Prof. Bruce Mallen speaks on "Modern Education for Business Management at the University Level" at the Queen Elizabeth Hotel, 12:30 p.m.

SGWAUT GENERAL MEETING: H-635 at 3:30 p.m.

PSYCHOLOGY CLUB: Tentatively scheduled Dr. Robert Melzack (the pain man) in H-937 at 1 p.m.

VISAS: Immigration officers here to check foreign students' visas 9 a.m. to 4 p.m. in N-327.

## THURSDAY 23

CONSERVATORY OF CINEMATOGRAPHIC ART: "Jane Eyre" with Orson Welles at 8:30 p.m. in H-110.

BOOK FAIR: Hall Building mezzanine, presented by the New American Library Publishers and the Bookstore.

GEORGIAN FILM SOCIETY: "The Phantom Creeps" creep along to H-110 at 1:15 to 2:15 p.m. (see Tuesday).

CHAPLAINS SIR GEORGE: 2 to 5 p.m. in the southwest corner of the cafeteria.

## FRIDAY 24

EDUCATIONAL TECHNOLOGY: Lecture series begins with Dr. G.L. d'Ombain, Dean of the Faculty of Engineering at McGill, on "Computer Assisted Learning" in H-635 at 8:15 p.m.

## SATURDAY 25

FOOTBALL: Sir George at Université de Montréal at 2 p.m.

## SUNDAY 26

MASS: 11:30 a.m. at 2185 Bishop.

### BOARD OPENS MEETINGS

At the meeting of the Board of Governors on October 9 it was resolved that future meetings of the Board would be open to members of the University and to accredited representatives of the press. The Board reserved the right to declare closed any portion of a meeting for reasons of confidentiality. Notices of meeting, the proposed agenda and official minutes will be available through the SGWU Information Officer.

### SGWU ISSUES & EVENTS

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